

Court of Appeals, State of Michigan

ORDER

Michael J Valencic v TPM Inc

Docket No. 255931

LC No. 00-000231

Patrick M. Meter
Presiding Judge

Bill Schuette

Stephen L. Borrello
Judges

By order entered October 8, 2004, the application for leave to appeal was held in abeyance pending the Michigan Supreme Court's decision in Court's decision in *Bailey v Oakwood Hospital*, 259 Mich App 298; 674 NW2d 160 (2003), lv granted 470 Mich 892 (2004). The Supreme Court having issued its decision in *Bailey v Oakwood Hospital*, ___ Mich ___; ___ NW2d ___ (No. 125110, dec'd 6/29/05), we again consider the application and, in lieu of granting leave to appeal and pursuant to MCR 7.205(D)(2), we REMAND this matter to the Worker's Compensation Appellate Commission for reconsideration in light of *Bailey*.

This Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 27 2005

Date

Sandra Schultz Mengel
Chief Clerk